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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/563,490	01/03/2006	Thomas Lederer	2003P07108WOUS	8238

22116 7590 10/09/2008
SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
170 WOOD AVENUE SOUTH
ISELIN, NJ 08830

EXAMINER

NGUYEN, PHUNG HOANG JOSEPH

ART UNIT	PAPER NUMBER
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2614

MAIL DATE	DELIVERY MODE
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10/09/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/563,490	Applicant(s) LEDERER, THOMAS	
	Examiner PHUNG-HOANG J. NGUYEN	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 16-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's amendment filed 7/23/2008 has been carefully considered and has been entered. Claims 16, 18, 26-34 have been amended. No claim has been cancelled. No new claim is added. Claims 16-34 are still pending in this application, with claims 16 and 28 being independent.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 16 - 34 are rejected under 35 U.S.C. 102(a) as being unpatentable over Bushnell (EP 1 267 557) in view of Miyashita (US Pub 2002/0019225)

As to claim 16, Bushnell teaches a method for call forwarding after a call from a first telecommunication terminal is not accepted at a second telecommunication terminal, the method (col. 2, lines 18-22 and 30-33), comprising:

a) entering a first called number associated to the second terminal (label 126 of fig. 1) at the first terminal (label 112 of fig. 1), the number entered to establish a connection (col. 12, lines 32-34; steps 410, 412, 414 and 416 of fig. 4) to the second terminal (col. 12, lines 26-37).

b) triggering a transfer of an identification inquiry message containing the first call number to an automatic telecommunication service in order to identify an alternative call

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number (i.e., Alternate Point of contact (APOC) information (col. 12, line 47 – col. 13, line15);

c) identifying a second call number (i.e., Alternate Point of contact (APOC) information (col. 12, line 47 – col. 13, line15) associated to a third telecommunication terminal col. 15, lines 27-35) by a telecommunication service via an electronic directory system comprising a stored assignment specification (col. 13, lines 2-37); and

d) providing the second call number for establishing a connection between the first terminal (label 112 of fig. 1) and the third terminal (i.e., one of the candidates in APOC directory selected by the user, col. 15, lines 27-35 whereas the call is forwarded).

Bushnell does not explicitly teach electronic directory system is located in at least one of the first and second telecommunication terminals and the electronic directory system is maintained by a user of the at least one of the first and second telecommunication terminals;

Miyashita teaches electronic directory system is located in at least one of the first and second telecommunication terminals and the electronic directory system is maintained by a user of the at least one of the first and second telecommunication terminals (**Fig. 2 is a diagram showing an example of directory in a mobile phone. Furthermore, fig. 9 shows two mobile phones 210 and 260 where mobile phone 210 shows representative of a typical telephone directory 220. Apparent to the ordinary skilled artisan, mobile 210 and mobile 260 can communicate to one another via voice and text message (SMS, E-mail, IM message, Multimedia exchanges) and these method of communicating requires a define addresses**

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listed in the directory and it is also apparent to the ordinary skilled artisan that the users are capable of managing the directory, see entire document, specifically pars. 0020-22. "For maintained by a user", see pars. 54-56).

Therefore it would have been obvious to the ordinary skilled artisan at the time of the invention is made to incorporate the teaching of Miyashita into the teaching of Bushnell for the purpose of providing the most convenient service feature, that is the electronic directory system, to the subscribers who with a few simple clicks can store all the telephone numbers and email addresses of thousand of people that human memory has failed to support.

As to claim 17, it is rejected for the same reason as discussed in claim 1, limitations (a) and (b).

As to claim 18, Bushnell, in view of Miyashita, teaches an attribute value (i.e., caller's identity and role and called party's identity and role, col. 2, lines 37-39) is assigned in the directory system (col. 11, lines 30-34) the for the second call number (col. 11, lines 20-45).

As to claims 19-20, Bushnell, in view of Miyashita, teaches for the first call number the assignment specification includes an attribute value having the second call number and the attribute value for the first call number is the same as the attribute value for the second call assignment specification (col. 2, lines 39-53; col. 13, lines 16-38).

As to claim 21, it is rejected for the same reason as discussed in claim 1, limitation (d).

As to claim 22, Bushnell, in view of Miyashita, teaches the telecommunication service transfers identification results information to the first terminal in response to the identification inquiry message, the identification result information is provided to the first terminal via a display unit (label 114 of fig. 2) or via voice (col. 10, lines 46-52; col. 14, 7-12).

As to claim 23, Bushnell, in view of Miyashita, teaches the identification result information includes the second call number (i.e., Alternate Point of contact (APOC) information (col. 12, line 47 – col. 13, line15).

As to claim 24, Bushnell, in view of Miyashita, teaches providing the identification result information to the first terminal, the user provides a second input (col. 15, lines 31-35) to effect the connection setup to the third terminal (i.e., col. 14, lines 28-49, col. 15, lines 27-35).

As to claims 25-26, Both Bushnell and Miyashita teach a central exchange includes the telecommunication service and/or the directory system (Bushnell: figs. 1 and 2; Miyashita: mobile network system of fig. 7 and 9). It is obvious to the ordinary skilled artisan that one central exchange is a matter of representation rather an absolute single system. Therefore, it would be very intelligently logical that the system can easily apply to the plurality of exchanges.

As to claim 27, Bushnell does not explicitly discuss the telecommunication service and the directory system are implemented in the first terminal.

Miyashita teaches the telecommunication service and the directory system are implemented in the first terminal (see fig. 9).

As to claim 28, it is rejected for the same reason as discussed above with respect to claim 16. Furthermore, Bushnell teaches: a forwarding control unit (col. 15, lines 31-33) and the directory system query unit (col. 13, lines 8-15).

As to claim 29, Bushnell, in view of Miyashita, teaches the first terminal includes the directory system query unit, or wherein the exchange includes the directory system query unit (col. 12, line 47 – col. 13, line 15).

As to claim 30, Bushnell, in view of Miyashita, teaches receiving the second call number, the forwarding control unit is configured for transferring a control command in order to trigger a connection setup from the first terminal to a third terminal that is associated to the second called number (col. 14, line 28 - col. 15, line 2).

As to claim 31 Bushnell, in view of Miyashita, teaches wherein the first terminal is configured for automatically initiating the setup of a connection to the third terminal via the second call number, without a second input from the user (col. 15, lines 27-35), or wherein the exchange is configured for automatically initiating the setup of a connection to the third terminal via the second call number, without a second input from the user.

As to claim 32, Bushnell, in view of Miyashita, teaches the first terminal includes a predefined key for accepting the first and/or a second input (col. 10, lines 46-56).

As to claim 33, Bushnell, in view of Miyashita, teaches the first terminal includes a display unit (label 114 of fig. 2) with assigned control keys for navigation and selection of a menu option from a menu displayed on the display unit (col. 14, lines 28-44).

As to claim 34, Bushnell, in view of Miyashita, teaches the first terminal includes a voice recognition system for recognizing a voice input of the first and/or a second input (col. 3 lines 18-19).

Response to Arguments

Applicant's arguments with respect to claims 16-34 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUNG-HOANG J. NGUYEN whose telephone number is (571)270-1949. The examiner can normally be reached on Monday to Thursday, 8:30AM - 5:00PM EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on 571 272 7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Phung-Hoang J Nguyen/
Examiner, Art Unit 2614

/CURTIS KUNTZ/
Supervisory Patent Examiner, Art Unit

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